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2015

# Immigrant Labor in Fish Processing in the Pacific Northwest and British Columbia and Current Undocumented Labor

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### Recommended Citation

Salinas Ferreira, Adi D., "Immigrant Labor in Fish Processing in the Pacific Northwest and British Columbia and Current Undocumented Labor" (2015). *Pomona Senior Theses*. Paper 130.  
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**IMMIGRANT LABOR IN FISH PROCESSING IN THE PACIFIC NORTHWEST  
AND BC & CURRENT UNDOCUMENTED LABOR**

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In partial fulfillment of a Bachelor of Arts Degree in Environmental Analysis,  
2014-15, Pomona College, Claremont, California

Readers:

Tomas Summers Sandoval

Suyapa Portillo

## ACKNOWLEDGEMENTS

I would like to thank the many people who were involved in the completion of this work:

I can't thank my readers Prof. Tomas Summers Sandoval and Prof. Suyapa Portillo enough for providing me with the initial push and guidance to get this off its feet. I also want to thank Prof. Char Miller for the many peep talks along the way.

I especially want to thank my interviewees for allowing me to attempt to give a voice to their stories.

Lastly, thank you friends, family and God for all the emotional support this semester.

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## Introduction

“Can send twelve Chinamen by Alliance sailing 26<sup>th</sup>. Wages \$75.00 per month and \$7.00 per month board also fare both ways and guaranteeing 3 months work” Hume replied: “Too high for Chinks. Don’t want them at that price. I will never pay Chinamen such wages when can get white men for the same or less” Hume to Herbert Hume, June 18, 1906

“That’s why we like to employ Latinos. They don’t complain as much” Floorman 2011

Since industrialized fishing first came to the Columbia River it has had a history of abusing rights to make a profit. Since the beginning canneries employed predominantly Chinese, Aboriginal, and Japanese workers to supply cheap labor. Working conditions were less than ideal. The job itself was dangerous and working hours were long. Relations between the workers and the communities they were working in also evidenced racial segregation and high tensions. As for unionizing in the fishing industry, it remained a fruitless battle until the 1930’s<sup>1</sup>. Issues pertaining to race, class, and gender took longer to even be a part of the discussions in unions.

Perhaps the most concerning aspect of industrialized fishing was the invisibility of the workers that worked in processing the fish. Muszynski does a great job explaining how the glamorized fish catching aspect of the fishing industry as described in Ernest Hemingway’s *The Old Man and the Sea* or another example in Herman Melville’s *Moby Dick* paints a certain image of the

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<sup>1</sup> “Longshore Workers.” Accessed September 30, 2014.  
[http://depts.washington.edu/dock/longshore\\_intro.shtml](http://depts.washington.edu/dock/longshore_intro.shtml).

fishing industry and leaves the rest of the workers in the fishing industry as unsung heroes. It is those who catch the fish who receive the attention and the rest of the work such as washing, beheading, gutting, filleting, packing etc. are weren't recognized as important if acknowledged at all.<sup>2</sup>

Fast-forwards to today and not much has changed except the face of the fishery workers. Fish processing labor remains largely in invisibility while the idea of adventure and glamorizing the man vs nature theme of its counterpart, fishing, continues via mediums like the *Deadliest Catch*. Working at sea has officially been labeled the most dangerous job someone can have in the US, leaving the work that goes on at shore unmentioned. Accidents in fish processing plants are a common occurrence, though only the fatal ones make the headlines. A great example of this is the death of Jose Melena, a Bumble Bee Foods employee, who was cooked to death in an oven used to sterilize the fish cans.<sup>3</sup>

Workers then and now are seen as nothing more than a commodity to be bought at the cheapest price and the lack of research documenting the fact is sadly lacking. When I first ran a preliminary search on the subject, I found lots of

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<sup>2</sup> Muszynski, Alicja. *Cheap Wage Labour Race and Gender in the Fisheries of British Columbia*. McGill-Queen's University Press, 1996.

<sup>3</sup> "How A Bumble Bee Foods Employee Got Cooked To Death In An Oven: LAist." Accessed October 4, 2014. [http://laist.com/2013/05/10/how\\_a\\_bumble\\_bee\\_foods\\_employee\\_got.php](http://laist.com/2013/05/10/how_a_bumble_bee_foods_employee_got.php).

documents examining fisheries solely from an environmental and conservational minded perspective. Once I dug enough I was able to find quite a bit of information on the history of fisheries, as far as the Pacific Northwest is concerned mostly salmon canneries, but only dating up around the 1970's. Even those books were more focused on the history and the biography of the entrepreneur settlers rather than on the story of the workers employed by said entrepreneurs.

The book *The Salmon King of Oregon* documents the story of a cannery which began in Washington, moved to Oregon, and branched out into other parts of the West coast and England. The focus is more on Hume's business endeavors and only briefly mentions the lives of his employees out of necessity. Despite the fact that the book mentions that Chinese workers employed at Hume's canneries worked from 6 to 6 and at times more than that if there was a large catch, or despite the fact that it mentions that Chinese workers were paid far less than non-Chinese, the author glosses over that part by stating that Chinese workers employed by Hume enjoyed far better working conditions than Chinese employed at other canneries.

*Pacific American Fisheries, Inc.* by August C. Radke tracks the history of the salmon packing company in WA from 1890-1966. His approach is a step closer

to my research despite the fact that it is still more focused on the business history vs the stories of the workers. On the plus side, he fleshes out working conditions and also touches on wages and labor differences between men and women. On the other hand, the details of PAF canneries as he documents them are in sharp contrast to the other two books. An example is the living quarters for the workers. The PAF's living arrangements are described as good and the food provided as first rate (Radke, 100). Radke's work limitations apart from the dates, is the lens through which he does his research.

The closest book I have found that seeks to draw attention to the plight of fish processing workers is that by Alicja Muszynski *Cheap Wage Labour Race and Gender in the Fisheries of British Columbia*. In her work she was able to analyze factors that lead to the use of Chinese labor, and Japanese fishermen's almost indentured state to owners of the canneries. She also brings to light the use of aboriginals and female labor. She takes all these categories of people and then explains what the dynamics between them were, ranging from hostile to never crossing paths. Lastly she documents the struggles to unionize and the difficulties in getting all aforementioned groups equal rights. Her book was published in 1996 and since then not much more has been done with her research.



Current literature and research pertaining to the fishing industry is targeted abroad. Globally, the fishing industry is a cesspool for crimes. Human trafficking, child labor, smuggling of guns and other illegal contraband, and most serve is the modern day slavery status of people forced into labor aboard fishing vessels, are current problems facing the global fishing industry. Research and advocacy efforts in these areas are highly needed, but in the face of the overwhelming corruption worldwide, domestic worker's rights abuse is left in the shadows. Most susceptible to labor exploitation in the US is the undocumented community and that's no exception in the fishing industry.

My interest in this topic is a very personal and biased one. Everyone in my immediate family and I are undocumented and all of us have worked at a fishery at one point or another. In my own experience, having to work 11hours one day, getting 4hrs to sleep, returning to the fishery to work 15hrs more, sleeping another 4hrs, and returning for 13hrs only to repeat the cycle was not uncommon. On one occasion I even worked 21hrs straight. I worked in quality control and part of my job was to tend to the injuries of workers. I lost track of how many people came to me for cut fingers, scales in their eyes, and other work related injuries. Almost as great a number were the close calls with potentially fatal accidents that could all be attributed to sleep deprivation among the

workers.

Hearing stories from other undocumented workers at other canneries convinced me that what I was experiencing was not an isolated problem due to one poorly run fishery, but a widespread phenomenon inherent to the industry. And so the purpose of this study is to create a narrative accounting the experience of undocumented workers and how their experiences could have easily been those of the Chinese, Japanese, and Aborigines who first filled that labor sector.

The first chapter will cover the history of the creation of the first fisheries along the Columbia River and who created them. It will then document the shift from predominantly Chinese workers to what we have now. It will take into account political pressures, migration patterns, and changes to the fishing industries labor policies.

The second chapter will cover the details of what it's like working in a fishery. Based on interviews with undocumented people who have worked at a fishery for at least one season, I will paint a picture of current working conditions that may otherwise go undocumented. Based on their answers, I will also explore whether during the hiring process or when assigning tasks there is gender discrimination. Due to the fact that most of these fisheries are owned by non-Hispanics and the workers are predominantly Hispanic the workers account

of their experience would be incomplete without including the dynamic between owners and workers. Other questions that will be covered are on possible tensions between documented workers and undocumented workers and on the impact working in the fishing industry has on family life. Finally I will seek an answer to why these workers continue working there despite the downsides of the job.

The last chapter is on unionization attempts and advocacy groups. Before examining current movements, I will analyze any improvement in working conditions from the time fisheries first came to the Columbia River and what brought them about. Then I will move on to current groups working to improve or raise awareness of working conditions in North West fisheries. Apart from outside groups I will also take a look at regulations and changes they've been through that either protect or harm the worker. Lastly I will end with the obstacles to improvement.

The use of the words fishing industry will refer to the entire workforce required to get the fish out of the ocean and sold in its final form at a grocery store. The title fish processing plant worker will refer to those involved in on shore work, including those who: gut, cut, pack, freeze, measure, inspect, bread, butter, can, clean fish, clean plant, fix machinery, sharpen knives, supervise, shovel ice and fish in the hopper, drive totes around the plant, and do quality

control work. The geographical area covered is from one end of the Columbia River to the other, expanding from Northern OR, U.S.A. to British Columbia, Canada.

The way interviews for the second chapter were conducted were with utmost confidentiality. In seeking interviewees, I only interviewed those who heard about my research plans and expressed a willingness to share their experience. Instead of widely advertising my research plans and risking increasing the interviewee's potential fears of their bosses finding out about their participation and consequently losing their job, I initially shared my goals with undocumented workers I knew directly. Through them, I got connected to others. Interviews ranged from 30 minutes to one and a half hours, and were either conducted via skype or through the phone; with their consent I recorded the conversations. All recordings were kept in a safe location and at the completion of this paper were deleted. Limitations to conducting interviews in this manner were that most interviewees lacked access to sources like skype and could only use a phone. Scheduling an interview to match an interviewee's busy and sometimes unpredictable schedules also posed a challenge, and in some cases they canceled multiple times due to being called in to work. In the future, face to face interviews would have been better, but because of time and distance

limitations, I was unable to conduct interviews that way.

## **The Face of Fisheries: Then and Now**

Giving rise to the initial use of cheap wage labor in fish processing plants was the fact that white men could not accept low pay because it would not permit them to raise a family, whereas Chinese and Japanese immigrants tended to be single and thus in need of less money relative to their white male counterparts. Chinese and Japanese immigrants, who had limited job opportunities, accepted a position at the canneries.

### A Look at Oregon & Washington

Industrialized fish processing along the Columbia River first took on the form of salmon cannery work. During the late 1860's and early 1870's canneries began to spring up along the Columbia at the hands of John West, the Hume brothers, the Cook brothers, Baddolet & Company, Andrew Hapgood and others.<sup>4</sup> By 1883 there were 55 canneries operating on the Columbia.<sup>5</sup>

While there were many entrepreneurs who came to the Columbia River, the Hume brothers have earned special recognition for leading the charge in

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<sup>4</sup> "The Columbia River - Canneries along the Columbia River." Accessed October 9, 2014. [http://columbiariverimages.com/Regions/Places/canneries\\_columbia\\_river.html](http://columbiariverimages.com/Regions/Places/canneries_columbia_river.html).

<sup>5</sup> "Canneries." Accessed October 9, 2014. <https://www.nwcouncil.org/history/Canneries>.

bringing canneries to the Pacific. “Of the 35 canneries on the Columbia River in 1881, it is said that about one-half had been established by the Hume brothers”<sup>6</sup>. There were four in total: William, Joseph, R.D. and George. William Hume is worthy of note for his canning techniques, the sheer amount of canneries he owned, and later in his career, pushing for conservation. William Hume and his associates made the move from their cannery in Sacramento, CA to the Columbia in 1867 and began their monopoly.

Attributed to George Hume is the introduction of Chinese workers to the cannery industry. Cobb in the *Pacific Fishermen* writes “George W. Hume was the first salmon canner to employ Chinese. This was at Eagle Cliff in 1872. At this period the white laborers in the canneries were recruited from the riffraff and criminal element of Portland. He had a Chinese working for him and through this man secured a Chinese gang from Portland. This labor proved so satisfactory that the custom soon spread to other canneries. It was not found that the Chinese could do the work any better or quicker than the white laborer, but they proved more reliable in their work and gave less trouble.”<sup>7</sup> The choice between a “riffraff”

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<sup>6</sup> Cobb, John N. 1930. *Pacific Salmon Fisheries. Bureau of Fisheries*. Document No. 1092. Appendix XIII to the Report of the Commissions of Fisheries for 1930. Washington: United States Government Printing Office. Fourth Edition.

<sup>7</sup> Ibid., 29

workforce and a workforce of immigrants who are present for the sole purpose of working was a clear choice for Hume.

William Hume continued to use middle men to haggle for Chinese workers. They would make a deal on how long the workers were guaranteeing to work, at what price and sometimes whether their tickets to travel to the cannery would be paid by Hume or not. Typically the season lasted somewhere from April 1 to 15 until about Nov 20<sup>th</sup>. Workers would then leave for the next seasonal job, and only a couple would stay to do maintenance on nets and meshes. While Chinese workers had little say in their arrangements, if the fishing season at Hume's cannery was low they would consider finding another cannery, but while they were there Hume had no complaints about the quality of their work

On top their work ethic, the powerlessness of the Chinese was an additional benefit to Hume. He employed "Chinese workers because they were efficient and hard-working and would accept low pay. Most of the fishing for the canneries was done by local Indians. The Chinese were not allowed to fish."<sup>5</sup> Hume was able to dictate what tasks and jobs were meant for Chinese workers and how much they were worth. Unfortunately, since he set the precedent of employing Chinese workers, his policies on Chinese labor also transferred to other canneries. With the use of the contract system modeled by William Hume,

U.S. canners' labour costs were 20 percent lower than on the labor cost of canners along the Fraser River in British Columbia.<sup>8</sup>

In Hume canneries all the workers were Chinese with the exception of the superintendent.<sup>9</sup> The cannery workers were provided with segregated housing and were dependent on Hume's store for their merchandise. Their working day is described to last from six to six with an hour off for lunch. If there was ever a particularly large catch one day, they were required to stay until all the salmon were canned.

The work done in Hume's canneries was a long and multilayered process. The job Chinese workers had to perform started once the cannery boats pulled into the wharf. The salmon's first stop was at the splitter's table. The salmon got its head and tail cut off, it was opened and gutted. Once that was done, it was washed twice before continuing onto the next cutter who cut the salmon up into six pieces. The next cutter cut the six pieces into twelve. These pieces were then placed into a brine solution in order to remove all impurities. Once the salmon was drained, a worker wheeled the fish to the canning table. From that point onwards it took four workers to place salt or brine into the can, to insert the

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<sup>8</sup> Muszynski, *Cheap Wage Labour*, 166 (see footnote 2)

<sup>9</sup> Dodds, Gordon. *The Salmon King of Oregon*. 1959th ed. The University of North Carolina Press, n.d.



salmon, to remove the slime at the mouth of the can, to lid and solder the can, and lastly to take the cans to the cooking room. The last stage of the canning process started with cooking the cans for two hours, testing them for leaks, cooking for two more hours, dipping the cans in lye then cold water and to top it all off washing the cans with rust preventative and covering them with lacquer. Cans were then cased in wooden boxes in either a group of forty-eight one-pound cans or ninety-six one-half pound cans.<sup>10</sup>

Employing Chinese workers was not entirely without problems. There were racial tensions between the Chinese workers and community members. Legislative processes also brought additional complications for Hume. “The law required that two photographs be taken of each Chinese, a procedure that had to be done either at Gold Beach or at Crescent City at a loss of time and money.” On the community front, Hume was faced with a community that was against the employment of Chinese workers and who used the fact that he hired them to ruin his reputation. There is no evidence to support the fact that racial tensions ever escalated to violence against the Chinese workers. “the fact that many returned year after year indicates that their lot was free from physical violence, although the white community probably held them in contempt”.<sup>11</sup>

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<sup>10</sup> Ibid., 24-25

<sup>11</sup> Ibid., 29

A strong force in the salmon cannery world of Washington was the Pacific American Fisheries, Inc. It was a company based in Bellingham, WA, established by E.B. Deming an American from Chicago after the failure of Frenchman Roland Onffroy to successfully run a cannery. Deming saw that despite his failure there was business potential in salmon canning. The two men competed for dominance of the Pacific American Fisheries (PAF) for about five years, until Deming finally won out in 1904.<sup>12</sup>

Work on PAF fisheries was very similar to Oregon canneries. “Once the run began...there were fish to catch and to can, and the process had to be done immediately. Work on the line demanded strong backs and a steady mind so that the worker did not mentally wander. Whether tending machines, carrying cases, or sliming salmon, there was constant noise created by the machinery that kept the plant moving.”<sup>13</sup>

Due to the sentiments of that era towards Chinese workers in both Washington and Oregon, Cannery owners turned to technology as a way to oust their Chinese labor dependency. “Deming, a few years earlier, said that ‘the policy of the parent Pacific American Company is to displace the Orientals as rapidly as

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<sup>12</sup> August Radke, and Barbara Radke. *Pacific American Fisheries, Inc.: History of a Washington State Salmon Packing Company, 1890-1966*, 2002..

<sup>13</sup> Ibid., 100

possible. The company is now having machinery perfected which will do much of the monotonous work performed by the Chinaman. It is also anxious to train white laborers for the more skillful employments”<sup>14</sup> Beginning in 1905 Columbia River cannery owners replaced Chinese labor with Smith Butchering Machines, sometimes called “Iron Chinks.” Each of these machines cut, gutted, and cleaned salmon at a rate comparable to the work of 30 to 40 skilled workers. <sup>15</sup>Some of the machines developed later on were weighing machines, filling machines, and topping machines.<sup>16</sup>

### A Look at British Columbia

The operation of salmon canneries in British Columbia didn’t swing into full activity until the 1870’s. The labor force consisted of four groups of people: aboriginal women, Chinese men, initially Japanese men, and those described as white men. The tasks assigned to these groups varied by race and gender, as did their wages and the length of time they were employed. Paths between these groups rarely crossed even if their tasks ever coincided.

When canneries began operation in British Columbia the owners were

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<sup>14</sup> Ibid., 65

<sup>15</sup> “Oregon History Project.” Accessed December 6, 2014.

[http://www.ohs.org/education/oregonhistory/historical\\_records/dspDocument.cfm?doc\\_ID=00055051-D654-1ECB-83B780B05272FE9F](http://www.ohs.org/education/oregonhistory/historical_records/dspDocument.cfm?doc_ID=00055051-D654-1ECB-83B780B05272FE9F).

<sup>16</sup> Radke, Pacific American Fisheries, 64 (see footnote 12).

faced with figuring out who would be their labor force. The only area white men would enter was commercial fishing and they did so “expecting to maintain a standard of living reflecting the cultural values of the “white” population. Independence and freedom to catch fish on their own terms and to deliver to the highest bidder were important aspects of their definition of themselves as commercial fishers”<sup>17</sup>. This posed a problem for canneries wishing to produce as cheaply as possible. Cannery owners were forced to look for a labor force in other parts of their production process that would cost less to employ. Their answer was the exploitation of minorities and women. “In British Columbia, salmon canners were primarily of European extraction, and they brought with them an ideology that valued the labour power of men and women differently, as well as that of non-European races”.<sup>18</sup>

Wages reflect the hierarchy in the canneries. “One canner paid Indian Women a dollar a day while white boys received two dollars. Indian women received 10 cents an hour, while Chinese men received between 30 to 45 dollars a month.”<sup>19</sup> White males received the highest pay. The belief that white workers needed more money to survive was used to justify the difference in pay. “It would

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<sup>17</sup> Muszynski, *Cheap Wage Labour*, 7.

<sup>18</sup> Ibid.,133

<sup>19</sup> Ibid.,135

not pay any white to do the work the Chinamen do for the pay, or anything like what the canneries would be willing to pay...a white man would starve to death.”<sup>20</sup>

In 1892 the average demographics of a cannery along the Fraser River was 8 white men, as foremen and other supervisor positions, 100 Chinese men, 40 to 50 Indian women, and 18 to 20 boys (Indian and Chinese).

### Aboriginals

Aboriginal labor in canneries in British Columbia around the 1880’s was provided by Indians. They worked inside fisheries or at steam boating on the Fraser River. Women were employed at the fisheries during the fishing season, making nets and cleaning fish for the canneries.”<sup>21</sup>

Aboriginals worked in large groups, as whole communities and once the fishing season came around several villages could appear deserted due to the labor migration to the canneries. It became a whole family employment opportunity and by pooling money together the low wages stretched quite far. Aboriginals canned salmon for 1 dollar a day in the four to five month seasons. “While such a short season could not provide sufficient employment to feed a European family, the pooled wages for a whole village represented a considerable

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<sup>20</sup> Ibid.

<sup>21</sup> Ibid., 129

amount of money.”<sup>22</sup> Their community allowed them to remain independent. It was ultimately this aspect that made cannery owners prefer employing Chinese over the Aboriginal population. Despite measures taken by canneries to make Aboriginal laborers dependent on them and subject them to their control, Aboriginals retained independence and self-sufficiency to provide for themselves through other means.

Attempts to tie Aboriginal workers to the canneries included withholding pay. “When the first run of the salmon is over on the Fraser river, the Indians are told by the managers or owners of the fisheries, that they have no more work for them until the second run commences, which often is a delay of two weeks; they retain the Indians’ money as a security that they may not go home or engage in any other occupation until they want them again, therefore, the Indians are obliged to remain idle about New Westminster for that length of time or forfeit their wages. Some Indians come hundreds of miles to labour at the fisheries...”<sup>23</sup>

The relationship between canneries and Aboriginal workers lasted until they were fully replaced by Chinese labor or until canneries closed. Chinese workers took on light work that had been performed by Indian women and their boys and girls used. Chinese workers also displaced Aboriginal workers who had

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<sup>22</sup> Ibid.,130

<sup>23</sup> Canada.1872-1902. Annual Reports of the Department of Indian Affairs. *Sessional Papers*.

previously cleaned and canned the fish.

Once salmon supplies were depleted running a cannery became unprofitable and many went out of business. “When canneries closed, those who were able to, moved to plants that were still in operation, but the rest had no choice but to return to the reservations unable to find employment. Their livelihoods were provided by the state through resources such as welfare, unemployment insurance, and pensions.”<sup>24</sup>

### Chinese

For a large part of the history of canneries, Chinese workers played a large role. In British Columbia Chinese were employed due to a lack of white females to fill cannery jobs and while doing so, the label of feminine was added to their ethnicity as a means to justify why they were suitable substitutes for what was generally accepted as female labor. “In an industrializing economy, certain jobs had to be filled. These had been designated as “women’s work” in Western Europe, but few white women were available to fill them. Chinese men were employed in their place, notably as domestic servants, in the salmon canneries, and in laundries. In the royal commissions held in 1885 and 1902, provincial politicians and employers referred to the Chinese as a “feminine race”. Rather

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<sup>24</sup> Muszynski, Cheap Wage Labour, 141 (see footnote 2).

than acknowledge that these were men, those with political and economic power conflated their race with the gender of women.”<sup>25</sup> Tasks that were given to Chinese workers were making cans, lacquering and testing them. Additionally they butchered the fish, and depending on the cannery they were also asked to fill the cans.

It wasn't just Chinese femininity that attracted employers to them, most importantly was their willingness to work despite cheap wages. “Only Indians and Chinese would accept the low pay, unpleasant working conditions and uncertainties of the short season. When Indians occasionally complained about Chinese competition, some whites agreed that Indians were equal to the Chinese laborers and kept money circulating within the country, but the canners claimed the Indians were unreliable and that eliminating the Chinese from the industry would put more than fifteen hundred whites and Indians out of work.”<sup>26</sup> Chinese workers had no choice but to accept low pay given the fact that asking for higher pay resulted in replacement. “Chinese men were employed until they began to demand decent wages, at which point canners began to mechanize their lines” (M, 73). Ultimately Chinese labor was ousted by various factors: legislation born out

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<sup>25</sup> Ibid., 79

<sup>26</sup> Roy, Patricia E. 1989. *A White Man's Province: British Columbia Politicians and Chinese and Japanese Immigrants, 1885-1914*. Vancouver: University of British Columbia Press.



of racism, the entrance of Japanese fishers, their wives, and machines.

The Chinese contract system was structured to tie the worker to their broker from the onset of their relationship. The broker would pay for the workers' trip overseas, causing them to be in debt with them. The worker was forced to work at a location of the brokers choosing until the debt was repaid, before they could seek their own employment. "After 1870, the contract type of labor was the only legal way a Chinese laborer could work in British colonies and former colonies" <sup>27</sup> "At season's end the contractor received the final payment and paid his crew their wages less amounts deducted for the advance, room and board. However, if the salmon run for that season was low, or if any other reason prevented the workers from filling the quota of fish stated in the contract, the canner could refuse to pay the balance of the contract. The contractor too could pass his loss onto his workers by inflating the cost of provisions and food he had supplied. Thus workers could emerge from a cannery having been fed and housed but denied their expected wages. In short, the contract system shifted the risks of an unstable industry onto the contracted workers and their contractors."<sup>28</sup>

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<sup>27</sup> Chan, Anthony B. 1983. *Gold Mountain: The Chinese in the New World*. Vancouver: New Star Books.

<sup>28</sup> Yee, Paul. 1984. "Business Devices from Two Worlds: The Chinese in Early Vancouver." *BC Studies* 62:44-67.

-1986. "Sam Kee: A Chinese Business in Early Vancouver." *BC Studies* 69/70:70-96.

Anti-Chinese legislation was born out of a desire for a white British Columbia. In 1878 the Chinese Tax Act was proposed. It stated “every Chinese person over twelve years of age shall take out a license every three months, for which he shall pay the sum of ten dollars, in advance, unto and to the use of Her majesty, Her heirs and successors.”<sup>29</sup> Additionally, employers of Chinese would risk having their property or assets seized if one of their Chinese workers failed to pay their tax. As for the Chinese worker, failure to pay their tax could result in forced labor on public works until their debt was paid. They would be paid fifty cents, but they would also be charged for meals, guard’s wages, and to rent tools needed for their assigned tasks.<sup>6</sup> The law was challenged and brought to the supreme court, where it was decided that provinces did not have the power to create a law pertaining to aliens.

Further attempts to drive the Chinese out via legislation continued and met with more success. The Chinese Head Tax was passed in 1885 by the Canadian federal government. Initially it was a \$50 tax on every Chinese when they entered Canada. The goal of the tax was to discourage further immigration from China into Canada, but it didn’t have much impact on the flow of incoming

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<sup>29</sup> “Road to Justice » Legal Beginnings.” Accessed October 19, 2014.  
<http://www.roadtojustice.ca/court-cases/legal-beginnings>.

immigrants. The tax was thus increased to \$100 in 1900, but even that was not satisfactory to legislators. The head tax was increased once more in 1903 to \$500. The amount at the time would have been the equivalent of two years' worth of wages for a Chinese laborer.<sup>30</sup> "Meanwhile, Chinese were denied Canadian citizenship. In all, the Federal Government collected \$23 million from the Chinese through the Head Tax."<sup>7</sup> The Canadian government succeeded in not only making immigration into the country harder for the Chinese, but it also managed to gain a lot of revenue from Chinese immigration. Since one of the largest sources for hatred towards the Chinese presence was the blame that had been placed on them for the economy, it was a win win situation for the government.

Despite the Chinese Head Tax, Chinese were still coming into Canada. As a final resort the Canadian government passed the Chinese Exclusion Act in 1923, a piece of legislation that remained in effect for 24 years. Under the Chinese Exclusion Act, Chinese immigration was drastically reduced. For that period of time less than fifty Chinese were allowed entrance into Canada.<sup>7</sup> "One can see that in the Chinese Cannery Workers' Questionnaire there are hourly and overtime rates as well as monthly rates, which means that companies were

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<sup>30</sup> "CCNC: Chinese Head Tax and Exclusion Act." Accessed October 19, 2014. <http://www.ccnc.ca/redress/history.html>.

beginning to depart from their policy of hiring Chinese men and guaranteeing them work for the entire season. union agreements were not necessarily favorable to this labor force, and indeed be pressing for the abolishment of the Chinese contract system, the UFAWU helped to eliminate this labor force almost entirely from the industry, a process aided by the Exclusion Act of 1923 barring further immigration from China to Canada”<sup>31</sup>

Cannery owners in British Columbia generally shared anti-Chinese sentiments and thus even before Chinese immigration was virtually stopped, other laborers were in the process of being introduced into the industry, namely Japanese.

“Chinese labourers perceived them as a threat because Japanese contractors undercut the wages of the Chinese, not only those of white male workers. They did not compete with the Chinese in the fishing industry, however, since the original Japanese immigrants were fishers and continued in this line of work.”<sup>14</sup> “Japanese women were working inside the fish plants.”<sup>32</sup>

“Employers, when faced with the abolishment of the Chinese contract system, eliminated their Chinese employees along with the contractors.”<sup>33</sup>

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<sup>31</sup> Muszynski, Cheap Wage Labour, 11 (See footnote 2)

<sup>32</sup> Sparrow, Leona. 1976. “Work Histories of a Coastal Salish Couple,” M.A. thesis, University of British Columbia

<sup>33</sup> J.H. Todd and Sons, Ltd. 1943-1954. Company files. Special Collections.

## Japanese

The public opinion on Japanese people was slightly more favorable than that of the Chinese, but it was still far from viewing them as equal to white workers. “The Japanese are a little cheaper than the Chinese. I would rather deal with them. They are a more manly class of people...Those I have met have been more manly than the Chinese” said Joseph D. Graham, a government agent. Clive P. Wolley shared a similar opinion and adds that the Japanese are more willing to “live as white man does” as more likely to assimilate.<sup>34</sup>

Once Japanese entered the fishing industry in British Columbia in the 1890's cannery began employing them, but they were not spared the discrimination that came with being non-white. Canneries exerted control over them by utilizing racial divisions. Japanese were unable to compete with the white population and had no choice but to admit to being bound to a feudal like system with Japanese contractors. Japanese fishers were able to live year-round in cannery housing. The canneries made it so that they became dependent on them for almost every aspect of their livelihood. Apart from housing, canneries also provided food, fishing gear, and their fishing license. Meggs author of sums up the position of Japanese fishers in one sentence “they could not protest against

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Vancouver: University of British Columbia Library

<sup>34</sup> Muszynski, Alicja. Cheap Wage Labour, 170 (see footnote 2).

whatever price the cannery might announce”<sup>35</sup>.

As the years went by, Japanese workers began to bring their wives with them. Japanese women were the ones who began to fill the vacancies left by the Chinese. The labor inside the canneries began to be composed of majority females but at the same time job positions available inside the canneries decreased due to mechanization. “In the period 1944 to 1953 an estimated 50 percent fewer women were hired. For example, the installation of high-speed machines in one cannery led to a reduction in the crew from sixty to forty-eight workers, while the same volume of fish was processed in less time.”<sup>36</sup>

By the late 1900’s new faces appeared in the fisheries that were still around. Testimonies from a worker from Oceanside show that various other ethnic groups had joined the labor force in fisheries. “Portuguese women were mostly fileters while East Indian women worked in the canneries in their own groups” <sup>37</sup>

## Conclusions

Historically, fish processing plants show the invisibility and struggle of minorities used for labor in that industry. Throughout northern Oregon,

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<sup>35</sup> Meggs, Geoff. 1991. *Salmon: The Decline of the British Columbia Fishery*. Vancouver: Douglas & McIntyre

<sup>36</sup> Muszynski, Cheap Wage Labour, 143 (see footnote 2).

<sup>37</sup> Ibid.

Washington, and extending to British Columbia we see how the face of the work force shifted depending on availability, but attitudes and conditions go through minimal change. In all three regions, the initial workforce were the Chinese, but as hostility towards that ethnic group increased until it eventually reached the point where they were literally driven out of the industry, new faces were ushered in.

In British Columbia Japanese slowly began to take over the typical Chinese positions. Amongst that group it was the women who were charged with the work inside the fish processing plant, as it had already been designated that those jobs were female labor. In Canada as a whole, 2006 figure show 20,168 women working in the fish processing sector while there were 21, 812 men. Only in the fish processing sector were the number of men to women workers evenly distributed. In comparison to the fishing industry that number 61,756 male workers and only 32,084 female workers.<sup>38</sup> As of 2011, 13,900 people are employed in the fisheries and aquaculture in British Columbia, the lowest number in the past two decades. Out of that number 2,400 people work in the fish and seafood processing sector, an increase of 200 people from the year 2000. In

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<sup>38</sup> “ARCHIVED – Socio-Economic Profile of Canada’s Fishing Industry Labour Force 1994–2006.” Accessed December 6, 2014. <http://www.dfo-mpo.gc.ca/ea-ae/cat1/no1-8/no1-8-sec1-eng.htm>.

2011 there were 154 fish processing locations in BC. The other three sectors are aquaculture, sport fishing, and capture fishery. Capture fishery dropped from 4,100 to 1,400 while the number of those employed in sport fishing increased from 6,600 to 8,400.<sup>39</sup>

In Washington and Oregon Chinese male labor continued into the 1950's, from then onwards they were fully replaced by Japanese, Mexican, Filipino workers.<sup>40</sup> The U.S. Bureau of Labor Statistics classifies fishing together with farming and forestry, under the category of natural resources, construction and maintenance occupations. For the year 2012 997,283 people were employed in this category. 437,560 people, 2% of the 16 years and older Hispanic or Latino ethnicity population reported working in either farming, forestry or fishing, in comparison to .2%, 15,410, Asian workers, .3%, 47,586 Black or African American workers, and to .8%, 918,152 White workers.<sup>41</sup> The numbers don't add up because

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<sup>39</sup> Stoomer, Chad, and Miriam Wilson. *BC Stats: British Columbia's Fisheries and Aquaculture Sector, 2012 Edition*, January 29, 2013.

file:///C:/Users/Adi/Downloads/British%20Columbias%20Fisheries%20and%20Aquaculture%20Sector%202012%20Edition.pdf.

<sup>40</sup> "Oregon History Project." Accessed December 6, 2014.

[http://www.ohs.org/education/oregonhistory/historical\\_records/dspDocument.cfm?doc\\_ID=000E3E58-BAC8-1DBE-BB3880B05272FE9F](http://www.ohs.org/education/oregonhistory/historical_records/dspDocument.cfm?doc_ID=000E3E58-BAC8-1DBE-BB3880B05272FE9F).

<sup>41</sup> "Labor Force Characteristics by Race and Ethnicity, 2012." U.S. Bureau of Labor Statistics, October 2013. <http://www.bls.gov/cps/cpsrace2012.pdf>.



those who identified as Hispanic or Latino could be from any race.

## **Working in a Fish Processing Plant: The Undocumented Worker Experience**

By conducting interviews with current and former undocumented employees in fish processing facilities I will try to paint as clear a picture of their experiences working those types of jobs.

### Reasons for Taking and Staying in the Industry

Most workers start working in the fish processing plants after getting connected through another friend. In the case of undocumented workers, they generally hear about the job from another undocumented acquaintance. Seasonal fish processing plant workers have the year planned out by of seasonal jobs and may travel in groups from one job to the next. The fishing season covers most of the summer, and during that season fishing companies are the prime employers. Many workers cross state borders for to work the fishing season. The fact that it is a summer job also permits students to work there for the season.

Those that choose to quit left the job because they moved to another part of the country, they were injured, the season slowed down to the point it was not worth continuing, or because they found something better. In Sally's case "it became physically demanding. It was hard work, so I thought it was good to stop

there. And also it was getting slower...I'm done now, that I have DACA”.

### A Typical Day

The workers that I interviewed agreed that depending on the plant and their position their typical day looks slightly different from other workers, but not to a drastic extent. The majority of them worked in fish processing plants that contracts boats to deliver fish as soon as their caught to the plant. In the plants the fish gets beheaded, its tail gets cut, it's gutted and packed into boxes and frozen. The boxes of fish are then shipped to either be sold or processed further. Other fish processing plants may can the fish, process it into breaded fish sticks, crackers or other fish products. All interviewees worked for plants that only cut and packed the fish so I will focus on that experience. The job break down in those types of fish processing plants fall into five categories: those that work with the boats, the box workers, the cutters, the packers, and the few involved in management. In other plants the structure could be very different, perhaps drastically changing the workers experience.

The boat workers in this case refer to those who help unload the fish from the boats, place them in plastic fish containers, fork lift them and deposit them into the hopper. Those unloading the fish are also responsible for making sure that only the fish for which they plant received a permit to catch make it into the

hopper, anything else such as sharks, manta rays etc. is removed.

The box crew usually begins the season before the rest of the workers. As the name implies, they make a large quantity of boxes in preparation for the season, and continue to make them throughout. Should the box supply dwindle faster than they are being made workers may go an extra day to the plant even if there is no production. In order to avoid that, plants generally have their box crews show up to work an hour before packing begins.

The cutters work in an assembly line fashion to behead, gut and cut the tail the tail of the fish. They also inspect the fish and remove any that has been badly damaged. In this category workers are further divided into two groups. Some, primarily males, operate the machines which cut the tails and heads of the fish. The rest, mostly females, gut and cut any fish whose head or tail was missed.

The packers usually work in a separate room and are typically female. After the fish is cut, it is brought to the packing area via conveyer belts and deposited into a chute. The fish falls from the chute into a packers prepared box which they pulled from a separate chute connected to the box crew working area. Packers arrange the fish to face the same way, add plastic to separate the fish into two layers if necessary. Further quality control measures are introduced in the packing line. As the fish is being arranged, should workers spot a fish still

with a head or tail, they have the opportunity to remove the fish from the box. The last step is to weigh the boxes to make sure they are the appropriate weight. Fish is added or removed accordingly.

The above mentioned procedures hold true for most operations, but as the plants cycles through different fish seasons, there are some fish that aren't cut only sorted and packed, such as sardines. There are also shrimp and crab seasons which have different protocols. On those occasions the cutters are either moved to pack or not called in at all.

Management positions in fish plants are to supervising, office work, and quality control (QC). Generally there are supervisors in each of the categories, and QC's depend on the size of the plant and operating hours. Supervisors show up earlier than the workers to communicate with those in the office about the day's amount of fish and other details. Office workers manage the workers hours, hire new workers, and during the season communicate the operating hours to all parties. They also function as a intermediary between the workers and the owners. QC's inspect the machinery, the workers safety attire, the quality of the fish at all points of production, resupplying safety wear such as hairnets, and treat workers injuries. In the case of all management positions being fluent in both English and Spanish is highly valued.

When asked what a typical day looked like for them, the difference in experiences became apparent. Steven, a young Undocumented worker, who worked two seasons in two separate fisheries, answered “The first year was, get very minimal sleep, drive back, put on your stuff, start work. Yeah, just all day...every two hours get a ten minute break...pretty small break. And then after two hours, just keep working basically. Keep cutting, and pushing” .

Sally who only worked one season answered “It’s very different for everyone. But for me, I would get to work, sign in *ponchar*. Since I was working in the boxes they made me clean all the water from that really long chute...then I would just start bagging boxes, go upstairs and then push a bunch of boxes down the chute. Especially fast days I would just be in the boxes, pushing down boxes the whole time and then I would switch to bagging and stuff once it got slow there. Other days I would go and gut fish and cut the tails. We would get a break and eat for a little bit... Also we would get switched to different places. I would get sent down to catch fish...put them in order. At the end I would have to bring all the boxes leftover and bring them back upstairs. And then when we’re done we just go home and sign out.”

A part of most workers routine included a long commute. Steven’s commute was “about an hour and ten minutes”. The full range was somewhere

from five minutes to an hour and a half.

### Hours

Working long hours and for low pay has been an unfortunate pattern in fish processing plants but “working twenty hours in a row when one is paid by the hour, even without overtime pay, would result in a high money income for that period of time” <sup>42</sup>This statement about fishery workers in British Columbia is in line with current undocumented fish processing workers outlook on the processing plants schedule.

In some plants, workers are on call whereas in others they have set working hours. The determining factor is the plants ability to safely store the fish to be processed at a later time once workers have had adequate rest. The inconsistency in work is more of a problem in some fish processing plants than in others, but in the fisheries where fish is processed as soon as it arrives, workers work until all fish is processed thus the job becomes even more draining. “Sometimes we would work a little bit sometimes we would work a lot...we worked Monday through Sunday...sometimes we would work 5 sometimes we would work 2, sometimes we would work 25...one time we worked 23hrs straight” reflected Sally.

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<sup>42</sup> Muszynski, Cheap Wage Labour, 141 (see footnote 2).

The amount of hours employees work heavily depends on the season and how well the catch is going. According to the responses from the interviews the range was large. In the seasons he worked there, Steven estimated the peak of his working hours reaching 100 hours per week one season whereas the following season only working an average of 60 hours a week.

Jennifer, who has experienced working at four different fish processing plants, did not notice too big a difference in hours worked. During weeks when production was in full swing, on average she would work 80 hour weeks. “Usually you work 10 hour days”. The longest duration she worked straight was 18 hours. Steven also experienced numerous 18 hour days, his longest day being 24 hours. Hannah’s longest day was 21 hours, and Susan’s was 23 hours.

The breaks given between workdays were short. In Sally’s experience “there were a few days where we were just working straight, and we even had to sleep there, because there wasn’t enough time to go home and then come back on time.” The effect of short resting periods is felt strongest amongst commuters. During the seasons Steven worked, he stated that they had about 8 hours between punching out and having to return to work, sometimes less.

### Pay

In Washington and Oregon workers are paid minimum wage, with

overtime at a rate of 1.5 regular pay. “In fish processing there is a wide disparity in income levels between regions, reflecting levels of unionization and the scale and type of production.”<sup>43</sup> In the 1990 US Department of Labor Washington workers had an income of \$27,794, in Oregon the annual income of a fish processing worker was \$13,111. Out of all states with a fishing industry, North Carolina workers received the lowest income, only \$8,630. The highest paid were those that worked in Massachusetts earning an income of \$28,294.<sup>44</sup>

“It was low pay for the amount of work we did...some jobs were a little tougher and we were paid a bit more... like 15 cents, but it was still not enough.”

“I did get paid overtime, but it was after working so many hours that still did not feel like enough.”

### Training

Most workers describe their training to be very minimal if any was received. Most were asked to start work working right away and were expected to pick up the skills from their neighbors and from their own reasoning. The lack of training could also contribute to the large quantity of injuries experienced by workers.

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<sup>43</sup> Stull, Donald, Michael Broadway, and David Griffith. *Any Way You Cut It: Meat Processing and Small-Town America*. University Press of Kansas, 1995.24

<sup>44</sup> Ibid., 26



## Work Related Injuries

In a graph provided by the US Department of Labor, Bureau of Labor Statistics the work related injuries per 100 full-time workers in 1975 was 18.9 and in 1990 it rose to 22.5.<sup>45</sup>

The following are accounts of injuries shared with me from someone who worked in the office of a fish processing plant for three years, Hannah. Part of her job was to drive injured workers to the emergency room and handle workers compensation paperwork. Due to her position she was aware of all the injuries that occurred in the span of a season. According to her the maintenance people received the most severe injuries, followed by those involved with packing. The injuries received by the cutting crew were the most numerous but relatively minor. The causes of the following accidents were many but Hannah narrowed the cause of those accidents to workers “most of the time working faster than they should have been. All the packing accidents happened because of that. They were going too fast, weren’t paying attention to what they were doing.”

Some accidents at the plant are plain accidents, the kind that could happen to anyone and no one in particular is to blame. A maintenance person “was working with the chain door, kind of like a garage door I suppose, and it has

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<sup>45</sup> Ibid., 21

a chain. Somehow he got his hand stuck on it and cut his hand.” In this case, the workers level of carelessness was at the same level of the carelessness needed to get a paper cut.

In other incidents the cause can be pin pointed to a specific person. “This was John’s brother’s fault. He was on the straper machine, I think this was because it was sardine season and you know how there’s a bunch of racks everywhere. And he was going to get a box to turn and put it the rack but then one of the guys with the pallet jack was moving another rack that was already full to put in the freezer and he bumped into the one he hand and so his leg got squoshed between the two of those, the two racks, but since he was turning, was in the turning position, he hurt his back. So he couldn’t work for a long time. I don’t remember what happened with that case though. But I know he didn’t return to work there. The doctor said he could return to light duty, but obviously he couldn’t be in the straper machine anymore, so we put him in the unloading and he didn’t want to do that, in the cutting, he didn’t want to do that, and he said I’m not going to work. He thought the workers compensation was still going to pay him but we had offered a position of light duty he just didn’t want to take it. So they said they’re not going to pay him anymore if he doesn’t want to take the job that is available... so after he learned that they weren’t going to pay him

anymore he said he was going to do the cutting...eventually he returned to his job, but he didn't like it. And then next year he didn't return to work." This incidence apart from one workers lack of awareness to his surroundings, it also shows that at times when the plant is filled above the capacity it was designed for the opportunity for an injury increases.

Two additional injury causing factors are lack of training and accident prevention plant designs creating one more item for workers to trip over or scratch themselves against. "There was this other guy in the truck crew, he was new. I think he had a week working there. And there was this little wall, I guess it was this ramp that goes up and it has these little edges so the boxes won't fall off to the side when they would throw them. And at the edge of that border, whatever you want to call it, it was pointy and sharp. And when he threw the box, he hit his finger around here, the knuckle area, and he cut it. The skin like opened and you could see his bone. So we padded it down and took him to the emergency room and he got ten stiches. He never returned to work. But that's cus he didn't want to."

When the season gets busy and everyone is pushed to work as fast as their bodies will allow them, it is fairly easy for all employees are too self-observed to notice the moment their neighbor is injured as was the case with the following

injury. During sardine production fish at this facility traveled from the hopper through a system of blue lines that sorted fish by size. The process was mechanized but there were people in charge of overseeing its smooth operation. “In the sardine blue lines they had someone with a little stick to make not get stuck if a fish got stuck...It was like a little catwalk I guess, and it was metal and it had sharp edges so that they wouldn’t slip. But he did slip when he was going on it... so he had spider veins and when he fell he hit his leg on the edge of that ramp and it started to bleed but he didn’t notice. I got called down because they saw a trail of blood going into the bathroom, and that guy was in the bathroom. So I asked what’s wrong and he said ‘I don’t know, I felt my feet wet and then I noticed I was bleeding and it wouldn’t stop’. They took him to the urgent care but when the doctor tried to see the wound the blood just started gushing out, so they had to take him to the emergency room for that.” According to Hannah that was the worst accident at that fish processing plant during her time there, but what contributed to the graphicness of the accident was how long it took for anybody to realize a worker was injured.

Another way a worker’s injury turns invisible is when an out of state employee gets hurt and returns home. If no one saw the accident occur and the worker cannot stay in the state long enough to finish arguing his case, he may not

receive any compensation. “There was another one, this old guy, we never really knew if it was true or not, because nobody else saw him, but outside he was on the unloading dock near the back hopper, and the port, it had a lot of holes, like you know its old...so that wasn’t or responsibility...it’s not the company’s property. So there was like a huge hole there. I think he was just walking and he fell on the hole, he slipped. So he hurt his leg, he never returned to work. His case was still open because he was fighting it saying that he got big leg pain, and he still had it after a long time. But nobody saw him fall, he said he did fall, but we did file the complaint to the workers comp. But I don’t know what happened after that because he went back to California, he was from California.”

Workers compensation is about the only protection plant employees have post injury regardless of their legal status. Jennifer’s husband also worked in a fish processing plant and she mentioned that when he injured his leg the plant did pay for therapy but after he was healed he was never called back to work. How well a worker is looked after when injured varies by fish processing plant. In the plant Hannah worked at reactions to workers injuries were overall responsive. In the case of the blue line worker “he had days off, because he couldn’t work, and you know the workers comp, they did cover that. I think that it was after three days of no work they got paid... and depending on how many hours they were

averaging at that time.” That plants reactions were so good that they might have attracted workers that were injured elsewhere and did not receive any care from their cannery. “This lady she hadn’t worked there, the whole season she hadn’t worked there. But it was towards the end of the season, you know how we have a longer season than most of the other canneries. She’d just started working there, I don’t know if it was her first day or her second day, but they said that she was going down the stairs from the office to the packing area and she slipped and she hurt her back. She couldn’t work for a long time too. But nobody saw her, nobody could say whether it was true or not. She had just finished working at another cannery, so we didn’t know if she hurt herself at the other cannery and they didn’t want to cover her so she went there to get a complaint out of it”

Other injuries are not caused by a specific accident but are the result of built up strain on the body. “There were two ladies in the packing crew, this was when there were a lot of fish and we were working a lot of hours. One weighed a box and you know how they have those rolling pins, where you got the box you pull it and then you roll it to the person who is closing it. So when she did that, I guess the bag got stuck on the scale and when she pulled it she hurt her shoulder. I don’t think it was dislocated but it like popped, she heard a popping sound. And she went into the urgent care for that too. So her case was open for about a year.

And then they closed it, she did get paid I don't know how much. But she was working at the company, and she had therapy, she had to go to therapy because she had pain. And then they closed it because they said that although she did hurt herself at the company, it was a pre-existing thing she had already...she didn't pull the box at the right angle so she hurt herself, but she already had that...it was like if someone has a weak leg and they slip and fall its gonna hurt, yeah you slipped there, but you already had it. So it was a weak spot for her...It was open for over a year, I got the notice that they were closing the case...they just paid for therapy because she was still working, she stopped for a week, but then she returned...She was also working at another cannery too and in the crowns; she had a lot of jobs, so she was always going to have a weak shoulder, because she wasn't taking the time off and we couldn't be really sure if it was there because she had a lot of jobs too." Few workers have the luxury of taking a season off to give their body rest. Most have to push past soreness and strains, only exacerbating their injuries.

"Another lady same thing too, was working so many hours in the packing, and I guess it's the fact that they use their hands a lot, you know they get worn, they get tired, so her wrist, I guess she strained it. She never told us she just went to urgent care and told them that her hand hurted...so she had a sprained wrist.

She still worked, the only thing we she did was light duty, before she was one of the pesadoras (person who weighs the boxes) after she was on the speed batcher, fixing the fish and putting the little plastics on it because she couldn't really work that much". Being switched to light duty helps the worker for that one season, but they are very likely to move on to a job that will negate any healing progress at the end of the fish season.

Amongst the cutting crew one of the most common injuries were fish scales falling into people's eyes. The propensity of these occurrences can be attributed to improper use of safety gear or the complete neglect to do so. In some cases fish scales still entered workers eyes even though they had been using safety glasses. "Fish scales in the eyes... we had a lot of that too. Safety glasses, the year I worked there we required them, but the year before if they didn't want to they didn't have to. But then the OSHA guy came and told us they had to wear them all the time. It was optional before, we still gave it to them but we didn't enforce it. The toyeros (those who operated the cutting machines) most of them did wear it because a lot would fall on them. Some of them didn't like it because they get dirty they couldn't see, but most of them did wear them...all the other people in the cutting line didn't use them. The year I was there we made them, wear them, or if not they couldn't work. Packing crew didn't have to wear them.



Only the lady that was catching the fish.”

“The last year I was there, there were three cases where we had to take them to the hospital because they felt a fish scale in their eye, and they couldn’t see it, couldn’t take it out. For those that did get them we would have this washer, eye washer and it would come out with that... and in those they didn’t see anything, they never found anything. I guess it’s cuz once it fell in their eye they would rub it. So like after it was gone they could still feel it but it wasn’t there it was just the damage they did to their eye cuz they were rubbing it. I think only one they did take out a scale.” Since workers were not given training on how to respond if a fish scale fell in their eye, many were only vaguely aware that they were first supposed to wash out their eye, and instead tried to take it out by rubbing their eye. Amanda, a cutting crew worker, recalled going to the QC’s for help removing the scale from her eye. She observed other workers did the same thing and all met with various amounts of success.

The second most common injury amongst the cutting crew was cut fingers. “They would cut their fingers so many times. It was cold, it was numb, so they couldn’t feel their fingers. They would just like cut it. Cutting fingers that was so frequent, specially the last year I worked there.” Hannah described how at peak season a worker cutting their finger was almost a daily occurrence. New workers

were especially susceptible to getting injured. Given the fact that they were not trained on how to properly cut off a tail, they would either put more stain on their bodies than necessary or their cutting method had a higher risk of resulting in injury.

Lastly, the lack of supervision in some staffing companies allow for their employees to overwork themselves, to an even greater extent than those directly employed with a fish processing plant. Hannah described what it was like to employ them during a season in which the usual workforce was absent. “I don’t know what happened to the Hispanics, they disappeared. We didn’t have people; none of the canneries had people, so we were all using staffing companies. And I think they didn’t have a very good system, because they would overwork them. They would allow them to work as long as they wanted. So they would get off of one cannery, go to ours and after our job they would go to the other one. So they were super tired, weren’t paying attention and we didn’t know. We only knew the ones that were working in our company. But I remember this guy said this was the third shift he had. He had gone out from ours, gone to the other one and come back to that one. So he was tired. And when we had them, they would cut their fingers so many times. I remember in one week we took three of the staffing company employees to the hospital to get stiches...our company didn’t cover

workers comp for that because it was staffing we pay the staffing, they cover all of that. We pay them a certain amount and they're responsible for the health of their employees." This strikes a resemblance to old contract systems.

A problem with companies and safety is that they are very reactive. In all the injury cases, steps to further safety are taken but as a response to accidents, and their solutions are far from perfect. They do attempt to fix the cause of the accident but as witnessed by several of these accidents, they were caused by accident prevention plant designs.

In the case of finger cutting accidents an office worker bought special cutting gloves with wire weaved into the material to prevent the knives from piercing flesh, but the lack of training made some of the company's effort worthless as Hannah described seeing a right handed worker wear the glove on her right hand rather than the left which held the fish.

Some changes to the operations were applied not out of concern for workers but rather due to other limitations. "That year we had to make them go fast, I think it was 35 boxes per minute...the speed batcher broke many times because of that, how we were going so fast, so fast it would pile up, stop it, start again so fast, stop it. So after that year we slowed it down. I think the fastest we ever went was 30 boxes, but it was usually 27 boxes, so that was where it could

easily keep going, not have to stop...they slowed it down because the engineer of the machine told them they shouldn't speed it up that much."

### Racial Tensions

Interviewees worked at plants that were almost 100% Hispanic, so they described their average day being free of any racial discrimination. It was only on occasions when the company brought in supplementary staffing workers, who were mostly white and black, that they felt some discrimination. "I remember that because they were white they had more slack, because they were so slow and so lazy and they didn't care. But if you were Hispanic and you were slow and lazy you would get into a lot of trouble, and you would get moved to another job or something. But when it was the white people they would cut them slack and just let them be slow. Because that's just how it is, white people are slow according to them. So they would say for them it's ok to be lazy, but for us it's not." Sally heard the later comments from her supervisor and from someone working in the office.

The biggest point of contention between the Latino workers and the white workers was the pay. "I know the Hispanics get mad at the white people because they know we pay them more and they don't do half a good a job as they do." Hannah explained. Workers from the staffing company were paid \$9.50 per hour in contrast to the regular workers' salary of \$9.10. Hannah clarified the

companies rational. Their reason for employing staffing people and being willing to pay them more despite their inferior performance was because if they got hurt the plant does not have to pay workers compensation. Their health and wellbeing is the responsibility of the staffing company they are employed to.

### Impact on Family and Social Life

In conversations with workers they expressed their frustrations with how waiting to be told whether they would be working that day, impeded them from dealing with basic necessities such as grocery shopping. Since some fish processing plants give only a couple of hours of notice for workers to come in without properly taking into account that some workers have an hour commute, many workers don't properly rest. They are constantly checking an audio recording that tells them when to show up for work and can't plan to be away from home unless they are explicitly told they won't be working that day, something that depends on the unpredictable pace of the season.

Work hours at a fish processing plant pose problems for women with children. Interviewees who had children found that their only childcare option was a baby sitter who was not working. Most left their children with friends who had children of their own and therefore weren't working themselves. In some cases, mothers only saw their children for a few hours a day, and depending on

their shift their children would already be sleeping. One interviewee described being unable to come home for 3 days due to large consecutive fish catches and a long commute. Parent child relationships are strained to say the least.

### The Undocumented Factor

Being undocumented plays a large role in why workers chose to work at a fish processing plant and why they continue to work there despite the working conditions. In the Pacific Northwest there are very few jobs that do not require fluent English skill and valid work authorization. The rest of the differences between an undocumented employee and an authorized one are psychological. Because they fear being fired most undocumented workers don't complain and work past the point of exhaustion. Company policies are rarely questioned and workers remain largely unaware of their rights.

An instance exemplifying lack of knowledge of their own rights was Sally's story about an instance when the company she worked at changed from giving workers breaks every two hours to breaks every four hours. Workers who had worked in the same plant previous seasons were unsatisfied. "We would go four hours once in a while, and people would say it wasn't right. And we had that lady in the front, in the office, she told us that it was legal to do every four hours we get a break, so she kind of shut us all up". Sally and the others took the words of

the office worker at face value, and no one verified her information. In this case, plant workers were given the correct info about regular breaks, but not how the extended working period delayed their meal break to the 8<sup>th</sup> hour instead of at the mandated 6<sup>th</sup> hour.

Since most undocumented workers try to work as fast as possible, or at least as fast as they are told to work, the difference between them and other workers who are typically contracted from a staffing company towards the end of the fishing season, is felt all throughout the plant. According to Hannah there was a season where for reasons unknown to her most of the usual Latino workers were not around, and most canneries were unable to find enough employees. As a result most plants that season utilized staffing companies a lot earlier in the season and to a greater extent than usual. Hannah described how the difference in attitude and experience affected production. “We can’t go as fast because the staffing people are not as good as our workers and they complain more. So even if they could do the job, they don’t want to do it as fast.” Workers backed by a sense of security that they can find another job if they don’t like their current one, are reluctant to give 100% to a job they hate.

The owners of the plant are fully aware that by employing undocumented workers or other workers with limited employment options such as teenagers and

those who can't speak English, the production per hour increases and at a lower cost. When they utilize staffing company workers they pay more than the minimum wage. As a result, fish processing plant owners adopt a don't ask don't tell mentality. All interviewees felt that the owners were aware that they are employing undocumented workers, but they chose not to know.

Hannah who worked close to the owners thought the owners knew but did not wish to admit it. She elaborated with this story. "One time somebody called the office and I answered the phone. And they told me they were really upset 'oh I'm gonna call the immigration and I'm gonna tell them that you have illegal workers working for you' and I was like 'who is this?' and then they hanged up. And I told the owner 'somebody just called and they said they were gonna call the immigration, let them know we have illegal workers' and he didn't like that he said 'next time ask them who they are and if they can't give you their name to stop calling' and he was like upset about that. And he told me that he didn't want to hire that many people." Hannah went on to say that the result of that call was changing how they hired people. Previously, as soon as they turned in their application they plant would have them start right away. After that once someone turned in their application the office worker in charge of payroll would run their social security number through previous plant records to make sure no one else



had used it in the past under a different name. This way, should their undocumented status be discovered, they could claim ignorance since the company does not verify SSN's so they should have had no way of knowing whether what they were presented with was real or not.

Outside the office, being undocumented was not something workers felt impeded by or felt a need to hide. Sally shared that “since it was an environment of mostly undocumented workers, we didn’t have to worry much about it. Our only worry was that because it was an environment of undocumented workers that immigration would come and find us. They would take us all. But other than that because we were all on the same boat we didn’t have to worry about certain job positions.”

### The Current British Columbia

Conditions in the Pacific Northwest are not an isolated phenomenon, just as the conditions between Washington and Oregon workers didn’t vary too much from the workers in British Columbia in the 1900’s despite being different countries. Due to time and resource limitations I was unable to conduct an in depth study of current working conditions in British Columbia, but by examining what conditions are like on the East Coast and noting how conditions there don’t differ too much from the Pacific Northwest, I can infer there should be at least

some carry over given the close ties between the fisheries in British Columbia, Oregon and Washington in the past.

“On the one hand, as in other food processing systems, the new seafood workers are new immigrant Mexican nationals with ties to their home country. Combined with their highly restrictive legal status, their linguistic and cultural backgrounds confine them to sectors of the economy characterized by low wages, authoritarian methods of labor control, and high rates of occupational injury. In this respect they have much in common with undocumented or recently “employed authorized” immigrants in meat packing and poultry processing.”<sup>46</sup> Griffith’s words on recent seafood workers in Pamlico County, North Carolina reflect how current conditions in the Pacific Northwest expand across not just other canneries, but across other meat processing plants as well.

## **Unionization and Next Steps**

The road to unionize across both borders has fluctuated between progress and stagnation. Across the Pacific Northwest and British Columbia progress was slow and at first access to union benefits was restricted. At first women and minorities were excluded from the movement, but with time they fought for their place in the unions. At the core of the unions movements were efforts for equal

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<sup>46</sup> Stull, *Any Way You Cut It*, 154 (see footnote 42).

and fair pay and equal and fair working conditions.

### Washington and Oregon Unions

The first unions in the area were created by white men whose goal was to exclude the Chinese. It started 1874 with an exclusivist mutual aid association which later turned into a union in 1879, the Columbia River Fisherman's Protective Union (CRFPU).<sup>47</sup> The CRFPU was comprised entirely of fishermen. Their concerns were acquiring death benefits for the widows of fishermen who died at sea. They also concerned themselves with issues pertaining to safety and conservation of salmon. Lastly they unionized to set a minimum sell price for their fish, so as to not undervalue each other. In total 400 fishermen signed the agreement.

In the 1930s, in response to the effects of the Great Depression on fish prices the Communist Party formed the Fishermen and Cannery Workers Industrial Union (FCWIU). The union was short lived, but during its time it introduced the idea of worker unity across crafts.<sup>48</sup> After breaking apart, the union merged with the Seamen's Union which in 1938 became a federation called the International Fishermen and Allied Workers of America (IFAWA-CIO).

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<sup>47</sup> Leo Baunach. "Fishing Workers." Accessed November 30, 2014.  
[http://depts.washington.edu/dock/fishing\\_intro.shtml](http://depts.washington.edu/dock/fishing_intro.shtml).

<sup>48</sup> Ibid.

The Cannery Workers' and Farm Laborers' Union (CWFLU) was another union created as a response to the increased financial hardship in the 1930s. It was a Seattle based Filipino led union that only lasted from 1933 until 1937. Despite its short life, the union managed to increase its membership from 200 workers in 1933 to 2,000 in 1936. The main problem this union tackled was attempting to do away with the contract system. They felt a middleman was unnecessary and only served to decrease their wages.<sup>49</sup>

The CWFLU cut its ties with the American Federation of Labor in 1937 and came under the Congress of Industrial Organizations (CIO). It was renamed the United Cannery, Agricultural, Packinghouse, and Allied Workers of America (UCAPAWA) Local 7.<sup>50</sup> The union suffered a drastic decrease in membership during the war years. Despite many Filipino's being exempt from being drafted because they were cannery workers, the UCAPAWA lost over a thousand workers to military work.<sup>51</sup> Also attributed to the effects of the war, was the disappearance of representation for other Asians groups due to internment in an

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<sup>49</sup> Crystal Fresco. "Cannery Workers and Farm Laborers Union." Accessed December 12, 2014. <http://depts.washington.edu/civilr/cwflu.htm>.

<sup>50</sup> Micah Ellison. "Local 7/ Local 37 Story: Filipino American Cannery Unionism in Seattle 1940-1959." Accessed December 12, 2014. [http://depts.washington.edu/civilr/local\\_7.htm](http://depts.washington.edu/civilr/local_7.htm).

<sup>51</sup> Ibid.

already Filipino heavy UCAPAWA.

That period of time saw the rise and fall of many unions. “As labor unionism engulfed the nation, the salmon industry in the Pacific Northwest and Alaska became embroiled in a monumental struggle with labor...The most militant and violent labor strife occurred on the waterfront. Here the various unions representing longshoremen, warehousemen, teamsters, machinist, cannery workers, and sailors were in heated disputes either with employers or with rival unions.”<sup>52</sup> The IFAWA became the largest union amidst the labor struggle and the creation and subsequent collapses of other unions. By the late 1940s it encompassed over one third of the West Coast Workforce and to this day it holds the legacy of having been the largest and most successful fishermen’s union in American history.<sup>53</sup>

The IFAWA only lasted until 1952. Due to its communist roots it was expelled by the CIO during the Cold War and disintegrated<sup>54</sup>. Many other unions met the same end. By 1952 “the UFAWU was standing alone as the single functioning industrial unions anywhere in the fishing industries of North America”<sup>55</sup> Post IFAWA, smaller unions persisted, most for the sake of fishermen,

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<sup>52</sup> Radke, *Pacific American Fisheries*, 150 (see footnote 12)

<sup>53</sup> Baunach, *Fishing Workers*.

<sup>54</sup> *Ibid.*

<sup>55</sup> *The Fisherman*, 1937-80. Vancouver: The United Fishermen and Allied Workers Union.

but they still continued to bargain for cannery workers.

“The period from 1972 to 1982 saw high inflation, increased energy costs, international competition, and slow economic growth. In dealing with this crisis, new relationships between capital and labor emerged, with capital recapturing the initiative over wages and regulations. These changes are exemplified by the U.S. meat- and fish-processing industries. During the 1970s and 1980s, when oligopolies were emerging in the processing of beef, pork, chicken, and among some types of fish, workers’ wages declined, while productivity and work-related injuries increased.”<sup>56</sup> Unions fought against this in the period that followed but the initial momentum of unionization was lost.

### British Columbia’s UFAWU

Unionizing in the fish processing sector in British Columbia didn’t see results until the early 1900’s. Even though rights were won, the momentum of people’s efforts fluctuated. The major union in British Columbia was the United Fishermen and Allied Workers’ Union (UFAWU). Major achievements by this union were the abolishment of the Chinese labor contract system, bargaining rights for better and more equal pay. The union itself made progress reflecting the times through transforming itself from a white male movement to a union which

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<sup>56</sup> Stull, *Any Way You Cut It*, 17(see footnote 42).

looked after the interests of all involved parties.

The UFAWU was the result of a merge between various small unions in 1945.<sup>57</sup> Prior to its existence, efforts to unionize were divided by race, the type of gear the workers used, and by geography, making them less effective. Despite improvement by its mere existence, the UFAWU did not start off being accepting to all. “The UFAWU initially mirrored in its wage contracts the sexist and racist structure prevailing in the industry. Each group had its own agreement, and it was only gradually that all shore workers, whatever their race or gender, came to be unionized”<sup>58</sup>

Changes to how workers organized themselves in the UFAWU occurred not just out of necessity but also from outside influences. A major one was the Industrial Workers of the World. “One of the first groups to promote industrial rather than craft unity in the fisheries was the Industrial Workers of the World (IWW), who also fought racial categorizations.”<sup>59</sup>. Meggs quotes an IWW broadside that proclaimed: “Let no nationality or anything else get between you

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<sup>57</sup> “JSTOR: Labour / Le Travail, Vol. 48 (Fall, 2001), Pp. 89-108.” Accessed November 27, 2014.

<http://www.jstor.org/stable/25149162?seq=3&Search=yes&searchText=UFAWU&list=show&searchUri=%2Faction%2FdoBasicSearch%3FQuery%3DUFAWU%26amp%3Bacc%3Don%26amp%3Bwc%3Don%26amp%3Bfc%3Doff&prevSearch=&resultsServiceName=null>.

<sup>58</sup> Muszynski, Cheap Wage Labour, 44 (see footnote 2).

<sup>59</sup> Meggs, Salmon, 94 (see footnote 25)

and the price of your fish...It makes no difference whether you are Japanese, Chinese, Italian, Indian or Britisher, the bosses rob you all alike. You all belong to one nationality, the working class. The boss is the foreigner.”<sup>60</sup> With these new values the UFAWU was able to move forwards towards an inclusive organization.

Prior to the UFAWU smaller localized groups pushed for improvement to their particular demographic problems. An example of such efforts is the Chinese Cannery Employees Union. It was formed in 1904 in order to deal with contractors who left for China without paying their crews after receiving payment from the canneries.<sup>61</sup> It was created to give workers a degree of protection that had not previously existed, but in order to gain an ounce of power Chinese workers had to make their work valuable in the eyes of the cannery owners.

The years between 1885 and 1902 saw a shift in how Chinese labor was perceived. What was once viewed as unskilled labor eventually gained recognition from cannery owners. “By the turn of the century, most canners admitted that if they were to hire white men to do this work, they would have to train them.”<sup>62</sup> Once seen as skilled workers they were able to attempt to ask for higher wages or

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The Industrial Workers of the World is a union that was founded in 1905, with the goal of becoming one big union for all industrial workers.<sup>60</sup> They aim to organize workers producing the same good rather than reorganizing the job itself

<sup>60</sup> Muszynski, *Cheap Wage Labour*, 41 (see footnote 2).

<sup>61</sup> *Ibid.* 11

<sup>62</sup> *Ibid.* 165



other changes, as they were now indispensable.

Even after the value of their work was acknowledged and despite decades of hard work, racist ideas prevented Chinese workers from being fully accepted. In the UFAWU enmity towards Chinese workers was prevalent. In a questionnaire filled out by union members on improving relations with the Chinese “someone wrote, ‘Shoot the bastards!’.....It was evident that as the companies were being forced to negotiate with the UFAWU, they were planning to eliminate the Chinese altogether rather than integrate them into plant agreements”.

Japanese were targets of attempts to use the union as a way to rid the canneries of immigrant labor as well. “For instance, the Japanese employees were told that only white people would be allowed to join the union; their objective being the elimination of the Japanese working in the canneries. Again in other plants, workers were told that if the Japanese were taken into the union they would sabotage any unified front in dealing with the employers”<sup>63</sup> This shows how early on unions were used as a tool to oust others and save the perks of belonging to a union to white workers.

In 1945 in accordance to post Second World War labor laws and thanks to

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<sup>63</sup> Ibid. 187

the United Fishermen and Allied Workers Union the contract system was formally abolished, but continued to be used despite that.<sup>64</sup> It persisted until 1949 due to union efforts but aspects of it lingered up until the 1980's.

The contract system was a road block to fighting for better working conditions. "The extensive use of the Chinese contract system made it effectively impossible for those shoreworkers to bargain directly with processors."<sup>65</sup> This was due to ambiguousness of who held responsibility for paying the workers. Once the contract system was no longer used, the door opened to better dialogue and negotiations.

Efforts were also impeded by the fact that when one minority went on strike, canners would use the other to break the strike. On few occasions were there unified efforts to refuse their labor power to cannery owners. The same concept applied to wages. "In the East they claim they are unable to pay higher wages on account of the cheap Oriental Labor in the West. In the West they claim they are unable to pay higher wages on account of the cheap labor in Quebec."<sup>66</sup> This demonstrates the cycle of refusing to change because change has not occurred elsewhere and maintaining a cheap labor force by exploiting workers

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<sup>64</sup> Ibid. 144

<sup>65</sup> Ibid. 181

<sup>66</sup> Ibid. 186

need for widespread unity in order to effectively press for change.

Differences between white male workers and minority and female employees were also a point of discrimination the UFAWU sought to change. White men were paid in monthly increments, a sign that they would be paid a full month's labour regardless of whether they had worked or not. That same guarantee did not extend to women. "Only men received monthly guaranteed wages while women were paid by the hour and even received lower wages than those men on hourly rates"<sup>67</sup>

Additionally the disparity in wages was heavy. "An experienced female general fish worker's wage was 9.3 percent less than that of an inexperienced male worker, and 24.5 percent less than an experienced male employed in the same category. A fully qualified filleter received \$2.34 an hour and she had to pass tests as well as meet production standards to earn this rate of pay. Meanwhile, inexperienced men received \$2.37 an hour."<sup>68</sup>

To combat this, "negotiations on their behalf focused on wage hikes and the establishment of overtime pay. In 1944 the Vancouver and New Westminster plants belonging to Edmunds and Walker, Ltd signed an agreement containing an overtime clause at time-and-a-half and wage rates based on a forty-eight-hour, six

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<sup>67</sup> Ibid. 11

<sup>68</sup> Ibid.

day week. This was said to be the first such agreement in the history of the Canadian fishing industry...”<sup>69</sup>

In 1973, as a result of a weeklong strike by the UFAWU progress was made in equalizing pay between men and women. “An hourly differential of 71 cents between filleters and male labour rates was narrowed to 21 cents. References to male and female networkers were abolished, and as of 15 April 1974 rates were standardized. In cannery classifications, the hourly base rate differential of 44 cents between men and women was eliminated over a period of three years.”<sup>70</sup>

Previous efforts had been made to equalize pay, but because no means to enforce new provincial bills were provided. “As early as 1954 the provincial government had passed legislation promoting the principle of equal pay for work of equal value, but the Fisheries Association flatly refused to incorporate the principle into the agreement that year.”

Other successes accomplished by the UFAWU were in regards to using foreign labor to cheapen cost of production at the expense of the workers. “The UFAWU saw the use of foreign crews as a means of trying to introduce a cheap

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<sup>69</sup> Ibid. 192

<sup>70</sup> Ibid.

and unorganized labour force into a new industry”<sup>71</sup> An example of their efforts was in Tofino on Vancouver Island. A Japanese firm bought a plant in Mexico, where the hourly rate was \$3.30 cheaper than in Tofino. Workers protested when the Tofino plant attempted to export their fish to Mexico for cheaper processing by refusing to load the freezer trucks. Despite the fact that sixty workers were fired for their rebellion, the “union succeeded in having legislation enforced that prevented a company from exporting more than 25 percent of its total landings in a raw form.”<sup>72</sup>

It is in large part thanks to the a solid and strong organizing by the UFAWU that labor rights for cannery workers improved at a much faster pace in British Columbia than they did in the U.S. “In the 1970s provincial shoreworkers were said to be the highest paid fish workers in the United States. For example, in 1983 women in the classification Egg Pullers, Packers, Sorters, and Slimers received \$6.46 per hour in plants located in Bellingham and Puget Sound in Washington state (according to ab ILWU contract). The lowest rate, apart from probationary employees, received by UFAWU members in 1982 was \$11.18 per hour, almost double the rates received across the border.”<sup>73</sup>

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<sup>71</sup> Ibid.

<sup>72</sup> Ibid. 180

<sup>73</sup> Ibid. 192

### Current labor laws

Union efforts have done much to improve working conditions across the board, and even more so for their members, but for many, their only protection is federal and state labor laws. Even so, current labor rights in the Pacific Northwest leave the door open for the exploitation and overworking of workers. In addition to the law itself, there are three factors that exacerbate the system. No unions, ignorance of the law, and fear to speak out against policies. Given the difficulty to unionize, fishery workers are left to the mercy of their employers policies. Many workers either have no access or time to know their rights as workers. Those that ask, like Sally did, are left to take the information they are told at face value and rarely given a hard source of evidence showing whether the companies policies are in line with the law. Since the population I'm analyzing is undocumented, additional factors such as language barriers, fear and distrust of authority figures, increase their risk of their rights not being communicated and or honored.

### Washington State Labor Laws

The current minimum wage in Washington is \$9.32.<sup>74</sup> The legal time an

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<sup>74</sup> "Minimum Wage." Accessed November 25, 2014.

<http://www.lni.wa.gov/WorkplaceRights/Wages/Minimum/default.asp>.

employee must work before needing a break is 4 hours. Breaks are 10 minutes long and a worker can use the time as he wishes. The time an employee must work before being given a 30 minute meal break is five hours. “The meal time cannot start more than 5 hours after the beginning of the shift.”<sup>75</sup> Employees must be paid at least once a month and at a regular pay cycle. Although I did not come across any fish processing plant that paid its workers every 35 days, should one adopt such a policy, workers who are just getting by being paid every 14 days would be deeply inconvenienced.

Perhaps the most disserving law or lack of a law is the one that states no show up pay is required. Since fishery work tends to very unpredictable in smaller facilities that lack large storage, being called in to work and then being turned back is highly possible. In some cases more workers than are needed are called in to work, in particular at the start of a season when that season’s workers are not fully established. Given the long commutes some workers make they see no return for their time and financial investment. Fish processing plant owners are also more

### Oregon State Labor Laws

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<sup>75</sup> “Breaks & Meal Periods.” Accessed November 25, 2014.

<http://www.lni.wa.gov/WorkplaceRights/Wages/HoursBreaks/Breaks/default.asp>.

The current minimum wage in Oregon is \$9.10.<sup>76</sup> Overtime pay applies after 40 hours work a week or after 10 hours a day at the 1.5 times the rate of regular pay. Limits on hours worked in a day are as follows: “no person shall be employed in any mill, factory or manufacturing establishment in this state more than 10 hours in any one day, or in sawmills, planning mills, shingle mills and logging camps more than eight hours, exclusive of one hour, more or less, in one day or more than 48 hours in one calendar week, except logging train crews, watchmen, firemen and persons engaged in making necessary repairs, or in the case of emergency where life and property are in imminent danger. However, employees may work overtime not to exceed three hours in one day, conditioned that payment be made for said overtime at the rate of time and one-half the regular wage.<sup>77</sup> Unless a worker is employed at a logging camp, sawmills, planning mills and shingle mills, the maximum hours an employee is allowed to work per day is 13 hours. Pay periods cannot exceed 35 days.

## Holes

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<sup>76</sup> Avakian, Brad. “State Laws Regulating Minimum Wage and the Payment of Wages.” Bureau of Labor and Industries, n.d.

<sup>77</sup> “Technical Assistance for Employers Manufacturing: Daily Overtime and Maximum Hours Restrictions.” Accessed November 30, 2014.

[http://www.oregon.gov/boli/TA/pages/t\\_faq\\_tahrbr.aspx](http://www.oregon.gov/boli/TA/pages/t_faq_tahrbr.aspx).



Beyond the borders of Washington, Oregon, and British Columbia new worries are on the horizon and may be introduced in the Pacific Northwest and BC should it become a wider spread trend. Currently there are many areas in which owners of fish companies are circumventing regulations to the human aspect of fish production .In Alaska certain commercial fishing vessels are taking advantage of the absence of government supervision in “floating factory ships” to employ cheap foreign labor, bordering on slavery. “By floating their plants just feet from the Alaska shore, the owners evade federal occupational health and safety regulations...as well as legal standards for accommodation”

The labor contract system still persists in these hidden labor pockets, and it is utilized to its highest exploitative power. “Labour contractors operating out of Washington state and California were recruiting among recent immigrants from the Philippines, Vietnam, Korea, and Latin America, people who spoke very little English...They were paid \$3.50 an hour and worked twelve hours a day, six days a week. Although the minimum wage was \$3.40, some contractors negotiated for labourers to work for \$1000 per month (for an eighty-four-hour week). Anyone who became sick or was injured and thus unable to work had to pay \$20 a day for room and board. Serious industrial accidents due to the long hours were reported. Some workers were forced to sleep on the floor while women were at risk of being

raped by foremen and other workers and were warned to keep a club by their beds.

These conditions were being reported as occurring in the late 1970's.”<sup>78</sup>

Importation of foreign labor has not stopped at sea, but entered some states in the U.S. In North Carolina fish processing owners are importing workers from Mexico. It marks the state as the one with the lowest wages for fish processing workers. These cases are only the extension of what the fishing industry has been like since its beginnings, only shocking in the fact that those methods are still used today in an industry that makes around \$30 billion a year by 2005 estimates by the Food and Agriculture Organization of the United Nations.

## **Conclusion**

The beginning of industrialized fish processing plants reveals themes of labor exploitation, racial and gender segregation, and antagonistic legislation that have continued well into the present. Today in the Pacific North West, the majority of workers are Latino and many among them are undocumented or DACAmented. Many aspects of the work conditions in salmon canneries back in the late 1800's to the mid 1900's and the work conditions in present day fish processing plants have not changed. Many jobs in a fish processing plant remain

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<sup>78</sup> Stull, *Any Way You Cut It*, 200. (see footnote 42).

gendered, and when there is more than one race working in a single plant racial tensions as well as differences in the owners expectations of labor output by race may arise. To this day, governmental and state laws contribute to the lack of progress in improving working conditions in fish processing facilities, but at the same time remain the only protection undocumented workers have in this industry. All undocumented interviewees expressed no knowledge of unions, and many are only seasonal workers who are just passing through.

Inherent to the industry are long hours and a high rate of onsite injuries. Plant policies determine if these aspects of the industry will be exacerbated or mitigated. Fish processing plant that have the capacity to store more of their fish have the opportunity to have steady shifts and a set rotation of workers. Those that don't have no choice but to ask their workers to work as much as the catch demands. What the catch of the season will look like is still fairly unpredictable, providing no guarantees for workers who may be faced with working only 4 hours a day or be kept so busy they get only 4 hours of sleep a day.

Given the nature of the work there are no clear cut solutions, and in the future there may be even more pressing problems as fish stocks decrease, but the best and fastest way to ensure workers' rights would be through direct regulations on fish processing plants. Where that push is going to come from is

unclear. Unionizing a labor force that is prone to migration, with no particular ties to the industry, no time on their hands, and language barriers may be successful in one small area, but as history has shown those unions tend to die out quickly and a large part of their lifespan is spent in arguments with other unions. Add to this the number one challenge that needs to be overcome in trying to start a movement of undocumented workers, a large wall called fear of deportation, and the challenge becomes even bigger. All movements require a face and visibility, but the current labor force in the Pacific Northwest has to keep theirs in the shadows; highlighting the need for strong allies.